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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

CIRCUIT CITY STORES, INC., et al.,

Debtors.

Case No. 08-35653-KRH
Chapter 11

Alfred H. Siegel, solely as Liquidating Trustee
for the Circuit City Stores, Inc. Liquidating
Trust,

Objector,

v.

CarMax, Inc.
(Claim No. 14809),

Claimant.

**ORDER GRANTING MOTION OF ALFRED H. SIEGEL, TRUSTEE,
FOR SUMMARY ADJUDICATION DISALLOWING IN FULL CLAIM NO. 14809 FILED
BY CARMAX, INC. AND CARMAX AUTO SUPERSTORES, INC.
[DKT. NO. 13306]**

A hearing (the "Hearing") on the Motion of Alfred H. Siegel, Trustee, for Summary
Adjudication Disallowing in Full Claim No. 14809 Filed by CarMax, Inc. and CarMax Auto

Superstores, Inc. [Dkt. No. 13306] (the “Motion”) was held before the above-captioned Court on May 21, 2014, at 2:00 p.m. Appearances were as noted on the record. The Court having considered the Motion and the Response of CarMax to Motion of Alfred H. Siegel, Trustee, for Summary Adjudication Disallowing in Full Claim NO. 14809 Filed by CarMax, Inc. and CarMax Auto Superstores, Inc. [Dkt. No. 13342] (the “Response”), wherein CarMax, Inc. and CarMax Auto Superstores, Inc. (collectively, the “Claimants”) withdrew the Indemnity Claim (as that term is defined in the Motion) asserted in Claim No. 14809 (the “Subject Claim”); having considered the arguments of counsel presented at the Hearing with respect to the outstanding portion of the Claim asserted by Claimants (referred to in the Motion as the Partial Refund Claim); finding that there are no material disputed issues of fact with respect to the Partial Recovery Claim and that the issue of the liability of the bankruptcy estate with respect to the Partial Recovery Claim is subject to summary adjudication pursuant to Bankruptcy Rule 9014(c) and 7056 and Federal Rules of Civil Procedure, Rule 56, and for all of the reasons set forth on the record during the Hearing:

IT IS HEREBY ORDERED THAT:

The Motion is GRANTED.

The Subject Claim (Claim No. 14809) is disallowed in full.

Dated: Jun 2 2014, 2014
Richmond, Virginia

/s/ Kevin R. Huennekens

Hon. Kevin R. Huennekens
United States Bankruptcy Judge

WE ASK FOR THIS:

Entered on Docket:6/2/14

TAVENNER & BERAN, PLC

/s/ Lynn L. Tavenner

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- and -

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CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Lynn L. Tavenner
Lynn L. Tavenner